

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|                         |   |                        |
|-------------------------|---|------------------------|
| In re Application of:   | ) | Art Unit: 1625         |
|                         | ) |                        |
| BERG, Kurt Frimann      | ) | Examiner: SOLOLA, T.   |
|                         | ) |                        |
| Serial No.: 10/532,341  | ) | Washington, D.C.       |
|                         | ) |                        |
| Filed: April 22, 2008   | ) | December 1, 2008       |
|                         | ) |                        |
| For: PHARMACEUTICAL     | ) | Docket No.: BERG=3     |
| COMPOSITIONS COMPRISING | ) |                        |
| FLAVONOIDS...           | ) | Confirmation No.: 1525 |

REQUEST FOR CONTINUED EXAMINATION (RCE)

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building, Mail Stop RCE  
401 Dulany Street  
Alexandria, VA 22314

S i r :

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**1. Submission required under 37 C.F.R. § 1.114 (must check "a" or "b")**

- a. ☐ Previously submitted
  - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
  - iii. ☐ DO NOT consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on \_\_\_\_\_.
- b. ☒ Enclosed
  - i. ☒ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☐ Other

**2. Miscellaneous**

- a. ☒ Suspension of action on the above-identified

application is requested under 37 C.F.R. § 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required). If this box is checked, the PTO is specifically authorized, if the suspension fee is not otherwise paid, to charge the suspension fee to Deposit Account 02-4035.

b. ☐ Other

### 3. Fees

a. small entity status

☒ small entity status was previously asserted.

☐ small entity status is now asserted.

b. Fee Calculation

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e): \$

☒ 405.00 (small entity)      ☐ 810.00 (large entity)

(The RCE fee is set at an amount equal to the basic filing fee of a utility application; small entity reduction is available.)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

Small Entity

Non-Small Entity

Response filed within:

Response filed within:

☐ first      -\$    65.00

☐ first      - \$   130.00

☐ second    -\$   245.00

☐ second    - \$   490.00

☒ third      -\$   555.00

☐ third      - \$1,110.00

☐ fourth    -\$   865.00

☐ fourth    - \$1,730.00

☐ fifth      -\$1,175.00

☐ fifth      - \$2,350.00

month after time period set.      month after time period set.

(less \$      already paid for      month(s) extension of time on      ).

iii. ☒ Fee of \$130 under 1.117(i) for requesting limited suspension.

iv. Additional claims

(RCE fee need not include excess claims fee for claims previously paid for)

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| (Col. 1)                                       |                                  |       | (Col. 2)                        |               | (Col. 3) |      | Small Entity   |          | Other Than a Small Entity |                |    |
|--|----------------------------------|-------|---------------------------------|---------------|----------|------|----------------|----------|---------------------------|----------------|----|
|  | Claims Remaining After Amendment |       | Highest No. Previously Paid For | Present Extra |          | Rate | Additional Fee |          | Rate                      | Additional Fee |    |
| Total  | 73                               | Minus | 56                              | 17            |          | x 26 | \$442.00       |          | x 52                      | \$             |    |
| Indep.   | 3                                | Minus | 3                               | 0             |          | x110 | \$             |          | x220                      | \$             |    |
| First Presentation of Multiple Dependent Claim |                                  |       |                                 |               |          |      | 195            | \$       |                           | +390           | \$ |
| TOTAL ADDITIONAL CLAIMS FEE                    |                                  |       |                                 |               |          |      |                | \$442.00 |                           | Total          | \$ |

v. Other:\_\_\_\_\_.

c. The total fee due is therefore \$1532.00.

d. PAYMENT BY

i. ☐ Check (# ) in the amount of :

ii. ☒ Attached is Credit Card Authorization authorizing payment in the amount of \$1532.00.

iii. ☐ Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4035

e. ☒ Provisional extension of time if needed. Applicants authorize any charge of additional fees (**except issue and publication fee**) which may be required in connection with this application, for this paper or any later filed paper, to Deposit Account No. 02-4035.

f. ☒ The director is hereby authorized to charge any underpayment of fees, or credit any overpayments, to Deposit Account No. 02-4035.

Respectfully submitted,

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Attorneys for Applicant(s)

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